

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**JOSHUA STACY,**  
**Plaintiff,**

**v.**

**HAYSI REGIONAL JAIL,**  
**Defendant.**

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**Civil Action No. 7:15cv00663**

**MEMORANDUM OPINION**

**By: Norman K. Moon**  
**United States District Judge**

Plaintiff Joshua Stacy, a Virginia inmate proceeding *pro se*, filed a civil rights action pursuant to 42 U.S.C. § 1983, naming only the Haysi Regional Jail as a defendant. To state a cause of action under § 1983, a plaintiff must allege facts indicating that he has been deprived of rights guaranteed by the Constitution or laws of the United States and that this deprivation resulted from conduct committed by *a person* acting under color of state law. *West v. Atkins*, 487 U.S. 42 (1988) (emphasis added). As the Haysi Regional Jail is not a “person” subject to suit under § 1983, Stacy cannot maintain this action against the defendant jail. *See McCoy v. Chesapeake Correctional Center*, 788 F. Supp. 890 (E.D. Va. 1992). Accordingly, I will dismiss Stacy’s complaint without prejudice pursuant to 42 U.S.C. § 1997e(c)(1).

ENTER: This 29th day of December, 2015.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE